

March 23, 2005

BY CM/ECF FILING

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Magistrate Judge Raymond L. Erickson
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Re: *Robert Alexander v. Charles F. Bond et al.*
Court File No. 04-1323 PAM/RLE

Dear Magistrate Judge Erickson:

I am one of the attorneys for Plaintiff Robert Alexander in this matter. I am writing, further to Ms. Bettison's letter of March 15, 2005, and in response to counsel for the Defendants' letter of March 17, 2005, to further advise this Court regarding Mr. Alexander's cancer surgery, diagnosis, and treatment.

By letter to this Court dated March 17, 2005, counsel for Defendants asserted that, in order to establish the "good cause" to obtain the stipulated modification of the Scheduling Order, Mr. Alexander should be required to submit an affidavit or letter from a physician confirming his cancer surgery, diagnosis, and treatment.

Attached is a letter that I wrote to Mr. Alexander's treating orthopedic oncologist, Dr. Jeffrey Eckardt, which confirms a telephone conversation that I had with Dr. Eckardt on March 18, 2005 regarding Mr. Alexander's surgery, diagnosis, and need for radiation treatment. As the Court will see, Dr. Eckardt signed the letter to confirm its accuracy, and returned it to me.

In addition, I would like to further advise the Court regarding Mr. Alexander's radiation treatments, as first described in Mr. Alexander's declaration submitted with Ms. Bettison's March 18, 2005 letter. I am advised that Mr. Alexander first visited Dr. Tam Nguyen at 21st Century Oncology, a provider of radiation therapy in Las Vegas, Nevada (where Mr. Alexander resides). I understand, however, that during his introduction to the radiation treatment process (which apparently included viewing the radiation treatment equipment, learning of the tattoo he would need to receive, and being advised of the likely side effects), Mr. Alexander experienced significant anxiety and was emotionally unable to proceed with radiation therapy at the 21st Century Oncology facility.

I am advised that Mr. Alexander has an appointment scheduled for March 28, 2005 with Dr. Jonathan Bernstein, another radiation therapy provider located in Las Vegas (I understand that Mr. Alexander experienced significant difficulty in scheduling this appointment, apparently because of high demand for radiation therapy in the Las Vegas area). I have been advised that

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Mr. Alexander has been directed by Dr. Eckardt that he must begin daily radiation treatments by no later than next week or he will incur a significant risk of the cancer recurring.

We will keep the Court advised of any further developments in Mr. Alexander's medical condition.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Bradford", written in a cursive style.

David J. Bradford

DJB:fms

Enclosure

cc: William A. Pentelovich, Esq.
Stacy Lynn Bettison, Esq.